

U.S. Department of Justice



*United States Attorney
Southern District of New York*

86 Chambers Street
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October 12, 2022

BY ECF

The Honorable Ronnie Abrams
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *American Immigration Council, et al. v. USCIS, et al.*, 22 Civ. 5312 (RA)

Dear Judge Abrams:

The parties respectfully submit this joint letter pursuant to the Court's August 22, 2022 Order to update the Court on the status of this matter and to request to postpone the initial pretrial conference scheduled for October 21, 2022 by 60 days to December 20, 2022 or a date thereby convenient for the Court. With the consent of counsel for the plaintiffs, the government also requests to extend its deadline to answer or otherwise respond to the complaint by 60 days to December 12, 2022.

The government was served on June 28, 2022, after which the parties discussed the government's response to the two FOIA requests, dated October 26, 2021 and March 15, 2022, identified in the complaint, and the government initiated searches. Since August 19, 2022, the date of the parties' last status letter, the government has engaged in a rolling review of documents and has agreed to process—meaning to review for responsiveness and exemptions—a set number of documents per month. To date, the government has made an initial production of documents totaling 140 pages responsive to the plaintiffs' requests and is continuing its rolling review.

Currently, the initial pretrial conference is scheduled for October 21, 2022 at 11:30am. At this time, the parties believe it would be most efficient to adjourn this initial pretrial conference by 60 days to December 20, 2022, or a date thereby convenient for the Court. The parties propose to submit a joint status letter to the Court a week prior, on or around December 13, 2022, which will detail any outstanding disputes should the parties seek intervention. The government also requests to extend its deadline to answer or otherwise respond to the complaint by 60 days to December 12, 2022. Plaintiffs consent to this request. This is the second request to adjourn the initial pretrial conference and the third request to extend the government's deadline to answer or otherwise respond to the complaint; all such requests have been granted by the Court.

We thank the Court for its attention to this matter.

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Application granted. The initial pretrial conference shall now be held on December 19, 2022 at 2:00 p.m., with a joint status letter due no later than December 13, 2022. The deadline for the government to respond to the Complaint is extended to December 12, 2022.

SO ORDERED.



Hon. Ronnie Abrams
United States District Judge
10/13/2022

Respectfully submitted,

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